

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

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DAVID LEE POWELL, #241 477 \*

Plaintiff, \*

v. \* 2:05-CV-544-WKW

RICKY OWENS, *et al.*, \*

Defendants. \*

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**ORDER**

It has come to the court's attention that Plaintiff is no longer housed at the Ventress Correctional Facility which is the last known address the court has on file for Plaintiff. All parties have an affirmative duty to inform this court of any change of address during the pendency of their actions. Plaintiff was provided notice of this requirement in the court's June 15, 2005 order of procedure. (Doc. No. 5.)

Upon review of the pleadings filed in the instant matter, it is clear that the court file does not contain an alternate address for Plaintiff and that he has not provided this court his current address. Accordingly, the court concludes that Plaintiff shall be granted an opportunity to show cause why his complaint should not be dismissed for his failure to keep the court informed of his current address.

Accordingly, it is ORDERED that:

1. Plaintiff SHOW CAUSE on or before November 13, 2006 why his complaint

should not be dismissed for his failure to provide the court with his current address as directed by the court's June 15, 2005 order of procedure. Plaintiff is cautioned that his failure to comply with this order will result in a Recommendation that his complaint be dismissed without prejudice; and

2. The Clerk of Court SEND a copy of this order to Plaintiff at his last known address.

Done, this 1<sup>st</sup> day of November 2006.

/s/Delores R. Boyd  
DELORES R. BOYD  
UNITED STATES MAGISTRATE JUDGE